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GRAY DAVIS, Governor

DELTA PROTECTION COMMISSION

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September 7, 1999

Lester Snow, Executive Director
CALFED
1416 Ninth Street, 11th Floor
Sacramento, CA 95814

Subject: CALFED Ecosystem Restoration Priorities for FFY 2000

Dear Mr. Snow:

I am writing regarding the materials distributed both in anticipation of and at the August 31, 1999 Public Workshop on Ecosystem Restoration Priorities for FFY 2000, especially "Attachment C: FY 2000 Ecosystem Restoration Priorities". The Commission itself has not had the opportunity to review this material so these are staff comments only.

General Comments:

CALFED should refer to the recommendations submitted by the Ad Hoc Group regarding ecosystem restoration in the Delta (September 11, 1998). These recommendations have largely been incorporated into the Revised Draft Environmental Impact Report for the CALFED program and should be the first set of criteria used to analyze specific projects. These recommendations include:

- Restore land currently in public and/or nonprofit ownership and designated for restoration.
- Acquire and/or enhance currently flooded lands to create and/or enhance emergent habitat.
- Protect, enhance, and restore in-channel islands and waterside berms.
- Develop and implement management plans for upland areas already in public or nonprofit ownership.
- Develop and implement individual management plans for private agricultural properties and develop funds to offset costs of voluntary implementation of such plans.
- Develop and implement individual management plans for privately owned land managed for wildlife habitat, such as duck clubs and upland hunting clubs, and develop funds to offset costs of voluntary implementation of such plans.
- Avoid duplicating existing regulatory programs, such as existing dredging "windows".
- Respect the needs of existing land uses, such as water-oriented recreation.

Specific Proposals for Funding in FFY 2000:

South Delta and Lower San Joaquin River Improvements:

- Bundles should move forward in unison; ecosystem restoration component of the South Delta Bundle should not precede other elements of the Bundle.
- San Joaquin River floodplain corridor actions should protect and continue existing agricultural uses; floodplain areas should be retained in private ownership.
- Fresh emergent wetland habitat demonstration project: conform to general criteria above.
- Levee setback feasibility study: conform to general criteria above; minimize loss of privately-owned agricultural land.
- Screen small diversions in the South Delta: Convert into a Delta-wide issue and study; project description should include hypothesis of proposed study.

North Delta Improvements, Including: Lower Sacramento River, Yolo Bypass and North Delta:

- Bundles should move forward in unison; ecosystem restoration component of the North Delta Bundle should not precede other elements of the Bundle.
- Georgiana Slough Projects: describe relationship to current projects and why these projects are needed at this time; protect and continue existing agricultural uses; retain areas in private ownership.
- Lower Mokelumne River: improvements should be part of overall solution for the North Delta Flooding/Improvements Bundle.
- Yolo Bypass: Clarify description of proposed project; see general criteria. Funding for proposed North Delta National Wildlife Refuge should wait until environmental review is complete, and overall plan is developed.
- Cache Creek Mercury Source Control: Is this a watershed project outside the boundaries of the North Delta ecosystem restoration area, a water quality project; or an ecosystem restoration project. More information is needed.

Integrated Water Management: No comments.

Ecosystem Restoration Continuity:

- Funding "next phases" of projects which have received first phase funding seems a logical step to implement the Ecosystem Restoration Program. Suggest CALFED staff evaluate status of all projects funded to date to ensure satisfactory progress, and where appropriate, "recycle" funds reserved for projects that are not ready to use those funds.
- Where feasible, fund projects which will result in "on the ground" habitat enhancements versus studies.
- Ensure that studies will answer critical questions needed to implement overall ecosystem restoration program.

Other Investigations: Agricultural Issues:

CALFED staff indicated the Policy Group asked staff to analyze secondary impacts associated with conversion of agricultural land to habitat, to study potential third party impacts associated with conversion of agricultural land to habitat, and to identify opportunities to protect agricultural uses and to promote farming practices which benefit environmental resources (agricultural easements and agricultural practices).

- CALFED should address the cumulative impacts associated with proposed conversion of agricultural land to habitat; total build-out of the CALFED program, if all work is located in the Primary Zone of the Delta, would retire 25% to 40% of the agricultural land in the Primary Zone.
- CALFED should ensure that habitat projects will not have offsite impacts on adjacent or nearby parcels, and should condition projects funded with CALFED grants that those projects will not have offsite impacts (Good neighbor policy).
- Evaluation of third party impacts should be included in the revised draft environmental impact report, and should not be funded as an ecosystem restoration project.
- There are existing programs to protect agricultural lands and to promote farming practices; those programs are under-funded, have no master plan in the Delta area, and/or have conditions (e.g. CVPIA funds for winter flooding of ag lands are limited to lands serviced by intakes with fish screens). Possible links or expansion should be evaluated.

In closing, in FFY 2000, because there will not be adequate federal funds to fund all the described projects/actions, CALFED should seek the most "bang for the buck" by funding construction phases of habitat projects (not studies). This could generate public interest and support, while CALFED moves toward approval of ROD, and refinement of bundles. All projects proposed for funding should meet the criteria described above. Ecosystem restoration projects should not be separated from the remainder of the "bundles".

Thank you for the opportunity to review the draft staff recommendations.

Sincerely,



Margit Aramburu
Executive Director

Cc: Chairman Patrick N. McCarty